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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,757	01/30/2004	Daisuke Yoshida	16869N-104300US	7064

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EXAMINER

ANYIKIRE, CHIKAODILI E

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2621

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11/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/768,757	Applicant(s) YOSHIDA ET AL.	
	Examiner Chikaodili E. Anyikire	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed September 18, 2007 have been fully considered but they are not persuasive. Claims 1-14 are currently pending.
2. Claims 1-6 are rejected under USC 102 as being anticipated by Sato et al (US 2002/0106024). The applicant argues that the newly amended claim 1, which recites "a video stream supplying section configured to supply a bit rate of the first image signal to the picture selector, the bit rate being set to compensate for an amount of code of the pictures which are not extracted in the picture selector" is not read in the reference, Sato. The examiner respectfully disagrees. The reference discloses code amount numbers for non-coded VOPs, pictures that are not extracted, represented by the control variable R (Sato, paragraph [0119]-[0121]). Therefore, the pending application is not in a condition for allowance.

A detailed rejection addressing the newly added limitations follows.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al (US 2002/0106024).

4. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al (US 2002/0106024).

As per claim 1, Sato et al disclose a transcoder which inputs a first image signal encoded by a first compressing and encoding method and transcodes the first image signal to a second image signal encoded by a second compressing and encoding method, said transcoder comprising:

a picture selector (Fig 1, 11) which generates a subset image signal of the first image signal by extracting pictures of one or more specific types in frames or fields from the first image signal (paragraph [0099]);

a first decoder (Fig 1, 13) which decodes the subset image signal generated by the picture selector (paragraph [0103]); and

a first encoder (Fig 1, 16), which encodes the decoded image signal by a second compressing and encoding method (paragraph [0105] Ln 7-12 and [0106]); and

a video stream supplying section configured to supply a bit rate of the first image signal to the picture selector, the bit rate being set to compensate for an amount of code of the pictures which are not extracted in the picture selector (paragraph [0100]-[0111] and [0119]-[0121]),

wherein the picture selector uses the extracted pictures to generate the subset image signal whose effective length is reduced (paragraph [0099]).

As per claim 2, Sato et al disclose a transcoder which reads out a first image signal encoded by a first compressing and encoding method from a recoding medium and transcodes the first image signal to a second image signal encoded by a second compressing and encoding method, said transcoder comprising:

an interface section (Fig 1, 11) which generates a subset image signal of the first image signal by extracting pictures of one or more specific types in frames or fields from the first image signal (paragraph [0099]);

a first decoder (Fig 1, 13) which decodes the subset image signal generated by the interface section (paragraph [0103]); and

a first encoder (Fig 1, 16) which encodes the decoded image signal by a second compressing and encoding method (paragraph [0105]) Ln 7-12 and [0106]); and

a video stream supplying section configured to supply a bit rate of the first image signal to the picture selector, the bit rate being set to compensate for an amount of code of the pictures which are not extracted in the picture selector (paragraph [0100]-[0111] and [0119]-[0121]),

wherein the interface section uses the extracted pictures to generate the subset image signal whose effective length is reduced (paragraph [0099]).

As per claim 3, Sato et al disclose a transcoder according to claim 1, wherein the subset image signal has the extracted pictures arranged sequentially (Fig 3) therein and

the effective length of the subset image signal is reduced (paragraph [0099] and [0104]).

As per claim 4, Sato et al disclose a transcoder according to claim 2, wherein the interface section extracts and reads out pictures of one or more specific types by referring to management information (paragraph [0100]; the prior art discloses information that is used to carry out the transcoding method) recorded along with the first image signal on the recording medium (paragraph [0099] and [0100]).

As per claim 5, Sato et al disclose a transcoder according to claim 1, wherein the picture selector performs picture extraction in such a manner that each extracted picture can refer to another extracted picture for motion compensation (paragraph [0106] - [0108]).

As per claim 6, Sato et al disclose a transcoder according to claim 1, wherein:

the first compressing and encoding method is an MPEG2 method (paragraph [0099] and [0103]) and the second compressing and encoding method is an MPEG4 method (paragraph [0105] Ln 7-12 and [0106]); and

the picture selector (Fig 1, 11) generates the subset image signal by extracting I-pictures and P-pictures (paragraph [0099]).

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 7, 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al (US 2002/0106024) in view of Okada (US 2002/0181588).

As per claim 7, Sato et al disclose a transcoder according to claim 1.

However, Sato et al does not explicitly teach wherein the picture selector allows the user to specify what types of pictures are to be extracted.

In the same field of endeavor, Okada teaches a main control unit 536, which is comprised of a control core circuit 10, a CPU and so forth, controls each part in an overall and supervised manner according to instructions from the user. The instructions from the user are inputted via remote control light receiving unit 548, which receives signals from, for example, a remote controller. A media I/F circuit 550 reads multimedia data or programs from an IC card, MO, CD-ROM, and DVD-ROM or other record media, which are not shown here, into a main control unit 536.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the transcoder of Sato et al with the remote control of Okada. The advantage of the remote controller is that it provides the ability of a person to control the parameters of the transcoder.

As per claim 9, Sato et al disclose a transcoder according to claim 1, further comprising:

a frame memory (Fig 1, 15) for storing the image signal decoded by the first decoder (paragraph [0106] Ln 1-2).

However, Sato et al does not explicitly teach a display section which reads out the image signal from the frame memory and outputs the image signal to a display unit; wherein images being transcoded are displayed on the display unit.

In the same field of endeavor, Okada teaches the display circuit produces an image video signal from picture data transferred from the decoder 5 or the second decoder 7 and output this to the display 3 which is connected to the image reproducing apparatus 1 (paragraph [0062]).

The second decoder 7 reads out pictures included in recoded data sequences stored in the storage area 4a in the reverse time-series picture order, so as to be decoded. Thereby, a reproduced image data sequence is generated, and reverse reproduction is realized. This reproduced image data sequence is inputted to the display circuit 9 from the second node 8b of the switching circuit 8.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify the transcoder of Sato et al with the display of Okada. The advantage of the display of Okada is to provide visual imagery for the transcoded image data.

As per claim 10, Sato et al disclose an imaging apparatus using the transcoder according to claim 1 (as discussed in the rejection of claim 1).

However, Sato et al does not explicitly teach an image apparatus comprising:

- an image pickup section which picks up an object;
- a second encoder which, by the first compressing and encoding method, encodes the first image signal supplied from the image pickup section; and
- a recording and reproducing section which records and reproduces the first image signal encoded by the second encoder to and from a recording medium,

wherein the first image signal reproduced from the recording medium is supplied to the transcoder.

In the same field of endeavor, as shown in Fig 3, Okada teaches a block circuit of an image reproducing apparatus 1 is incorporated into a movie camera, a still camera, a television, a video CD reproduction apparatus or a DVD reproduction apparatus, which outputs the MPEG video stream from a transfer medium 2 to a display 3.

Okada teaches an image pickup section which picks up an object (paragraph [0057] Ln 17-19; the prior art discloses a transfer medium to be an image pickup);

a second encoder which, by the first compressing and encoding method, encodes the first image signal supplied from the image pickup section (paragraph [0057] Ln 11-15); and

a recording and reproducing section which records and reproduces the first image signal encoded by the second encoder to and from a recording medium (paragraph [0057] Ln 3-11; [0058]),

wherein the first image signal reproduced from the recording medium is supplied to the transcoder (paragraph [0058] Ln 1-5).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to integrate the transcoder of Sato et al with the image apparatus of Okada because it provides a transfer medium for the MPEG bitstream, capable of obtaining smooth reverse-reproduced pictures (Okada paragraph [0020]).

As per claim 11, Sato et al disclose a transcoder (as discussed in the rejection of claim 1).

However, Sato et al does not explicitly teach an imaging apparatus according to claim 10, further comprising:

a receiver which receives an image signal from the outside;

wherein the second encoder encodes the image signal supplied from the receiver by the first compressing and encoding method.

In the same field of endeavor, as shown in Fig 3 Okada teaches a block circuit of an image reproducing apparatus 1 is incorporated into a movie camera, a still camera, a television, a video CD reproduction apparatus or a DVD reproduction apparatus, which outputs the MPEG video stream from a transfer medium 2 to a display 3.

Okada teaches a receiver which receives an image signal from the outside (Fig 3, 1; paragraph [0057] Ln 1-7);

wherein the second encoder encodes the image signal supplied from the receiver by the first compressing and encoding method (paragraph [0057] Ln 11-15).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to integrate the transcoder of Sato et al with the image apparatus of Okada because it provides a transfer medium for the MPEG bitstream, capable of obtaining smooth reverse-reproduced pictures (Okada paragraph [0020]).

As per claim 12, Sato et al disclose a transcoder (as discussed in the rejection of claim 1).

However, Sato et al does not explicitly teach an imaging apparatus according to claim 10, further comprising:

a receiver which receives the first image signal encoded by the first compressing and encoding method from the outside;

wherein the recording and reproducing section records and reproduces the first image signal supplied from the receiver to and from the recording medium.

In the same field of endeavor, as shown in Fig 3, Okada teaches a block circuit of an image reproducing apparatus 1 is incorporated into a movie camera, a still camera, a television, a video CD reproduction apparatus or a DVD reproduction apparatus, which outputs the MPEG video stream from a transfer medium 2 to a display 3.

Okada teaches a receiver which receives the first image signal encoded by the first compressing and encoding method from the outside (Fig 3, 1, paragraph [0057] Ln 7-14);

wherein the recording and reproducing section records and reproduces the first image signal supplied from the receiver to and from the recording medium. (Fig 3, 4, [0057] Ln 7-14).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to integrate the transcoder of Sato et al with the image apparatus of Okada because it provides a transfer medium for the MPEG bitstream, capable of obtaining smooth reverse-reproduced pictures (Okada paragraph [0020]).

As per claim 13, Sato et al disclose a transcoder (as discussed in the rejection of claim 1).

However, Sato et al does not explicitly teaches an imaging apparatus according to claim 10, wherein the recording and reproducing apparatus generates management information from the first image signal recorded on the recording medium and records the management information on the recording medium.

In the same field of endeavor, Okada teaches Fig 3 shows a block circuit of an image reproducing apparatus 1 is incorporated into a movie camera, a still camera, a television, a video CD reproduction apparatus or a DVD reproduction apparatus, which outputs the MPEG video stream from a transfer medium 2 to a display 3.

Okada teaches wherein the recording and reproducing apparatus generates management information from the first image signal recorded on the recording medium and records the management information on the recording medium (paragraph [0057] Ln 3-15; the prior art discloses DVD and CD medium also the MPEG standard include management information in order to playback or decode a video stream).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to integrate the transcoder of Sato et al with the image apparatus of Okada. because it provides a transfer medium for the MPEG bitstream, capable of obtaining smooth reverse-reproduced pictures (Okada paragraph [0020]).

As per claim 14, Sato et al discloses a transcoder according to claim 1 (as discussed in the rejection of claim 1),

wherein it transcodes the first image signal to a second image signal encoded by a second compressing and encoding method and outputs the second image signal to external equipment (paragraph [0097]).

However, Sato et al does not explicitly teach a signal processor using the transcoder according to claim 1, wherein said signal processor inputs a first image signal encoded by a first compressing and encoding method.

In the same field of endeavor, as shown in Fig 3, Okada teaches a block circuit of an image reproducing apparatus 1 is incorporated into a movie camera, a still camera, a television, a video CD reproduction apparatus or a DVD reproduction apparatus, which outputs the MPEG video stream from a transfer medium 2 to a display 3.

Okada teaches wherein said signal processor inputs a first image signal encoded by a first compressing and encoding method (paragraph [0057] Ln 14-19).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to integrate the transcoder of Sato et al with the image apparatus of Okada because it provides a transfer medium for the MPEG bitstream, capable of obtaining smooth reverse-reproduced pictures (Okada paragraph [0020]).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chikaodili E. Anyikire whose telephone number is (571) 270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272 - 7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CEA

A handwritten signature in black ink is written over a rectangular stamp. The stamp contains the text "RECEIVED" and "FEB 12 2008" in a bold, sans-serif font. The signature is a cursive-style name, possibly "CEA", written in black ink.